

TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

SB 1864 – HB 2489

March 20, 2016

**SUMMARY OF ORIGINAL BILL:** : Requires the Commissioner of the Department of Education (DOE) to promulgate rules and regulations in order to certify non-profit 501(c)(3) organizations to volunteer to teach students in various subjects in grades kindergarten through third. A certified non-profit organization shall be allowed to enter a school during and after school hours; provided the teaching of the non-profit's courses does not interfere with the regularly scheduled courses provided by the local school. A non-profit organization that wishes to participate must meet certain requirements including but not limited to: (1) maintaining a minimum number of volunteers as determined by either the population of the locality where the non-profit is located or by the Commissioner of the DOE in certain situations and (2) requiring all volunteers to undergo a background check. If a non-profit organization violates the rules promulgated by the Commissioner, the local education agency shall have the authority to remove the certified non-profit organization from the program. The effective date is January 1, 2017, excluding the promulgation of program rules and regulations.

FISCAL IMPACT OF ORIGINAL BILL:

Increase State Revenue – Exceeds \$1,000/TBI

**SUMMARY OF AMENDMENT (014217):** Deletes all language of the original bill. Authorizes the State Board of Education (SBE) to promulgate rules for the development of a program that will allow 501(c)(3) non-profit organizations to assist local education agencies (LEAs) through the selection and appointment of qualified volunteers. Such program shall focus on kindergarten through third grade (K-3) before and after school activities. Any 501(c)(3) organization that participates shall meet all rules of the SBE and the policies and procedures of the respective LEA. Organizations shall also ensure that volunteers undergo a criminal background check and meet all other requirements of Tenn. Code Ann. 49-5-413 relative to such background checks performed by the Tennessee Bureau of Investigation (TBI). The DOE shall publish a list of all recognized organizations. LEAs shall establish an appeals process through which a recognized organization may appeal a decision of the LEA to reject an offer of assistance. If a non-profit organization violates the rules promulgated by the SBE or the LEA, the LEA shall have the authority to remove the non-profit organization from the program. Authorizes the Commissioner of the DOE to waive certain rules of the program at an LEA's request. The effective date is January 1, 2017 with the exception of rule promulgation.

SB 1864 – HB 2489

## **FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Unchanged from the original fiscal note.**

Assumptions for the bill as amended:

- The SBE will promulgate program rules and regulations in the normal course of board meetings without a significant increase in expenditures.
- Any increase in expenditures for background checks; course materials; or other costs will be borne by the participating non-profit organization.
- While the total number of volunteers is unknown, it is estimated that a minimum of 25 people will participate statewide each year.
- This bill as amended will require background checks to be performed annually by the TBI.
- The cost of the TBI background check is estimated to be \$38 per person.
- The recurring increase in state revenue to TBI is estimated to exceed \$950 (25 x \$38).
- TBI will not employ additional staff to help process these background checks.

## **CERTIFICATION:**

The information contained herein is true and correct to the best of my knowledge.



Krista M. Lee, Executive Director

/msg